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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

NICKALAS BRADSHAW,
MEGAN BRADSHAW

Case No. 3:10-CV-00438-HA

Plaintiffs,

PLAINTIFF'S MEMORANDUM IN
SUPPORT OF PLAINTIFFS' OMNIMUS
MOTIONS

v.

BAC HOME LOANS SERVICING, LP, a
foreign corporation; **TRANS UNION, LLC**, a
foreign company; **EXPERIAN INFORMATION**
SOLUTIONS, INC., a foreign corporation,
EQUIFAX INFORMATION SERVICES LLC, a
foreign company

Defendants.

Pursuant to LR 7.1 counsel for plaintiffs have made a good faith effort to contact opposing counsel via telephone and email to meet and confer prior to filing this motion. Defendants do not oppose the motion.

POINTS AND AUTHORITIES

1. Motion to Allow Plaintiffs to File their Responses and Submissions under Seal.

This Court has entered a stipulated protective order in this case, and defendants have designated certain materials as confidential under that order. Plaintiffs intend to rely upon some of that designated material in their response to defendants' motions for summary judgment. Accordingly, plaintiffs seek leave to file their responses and submissions under seal. LR 3-8.

2. Motion to Allow Plaintiffs to File a Consolidated Memorandum in Opposition to both Defendants' Motions, Which Exceeds the Page Limit for a Single Brief.

Although plaintiffs' claims for relief against Experian and Trans Union are separate and distinct, there are some legal and factual issues in the case which would be duplicated in separate memoranda in opposition. Plaintiffs anticipate that the consolidated memorandum may exceed the 35-page limit of LR 7-2, but would not exceed the page limit of two separate briefs, i.e., 70 pages. Accordingly, plaintiffs request leave to file a consolidated response to the separate motions, which exceeds the regular 35-page limit.

3. Motion to Expand the Time to Respond from July 27, 2011 to August 5, 2011.

Plaintiffs move for an order expanding the time for plaintiffs to respond to the motions for summary judgment filed by Trans Union and Experian in this case, in light of plaintiffs' counsel, Justin Baxter's jury duty in Clackamas County Circuit Court the week of July 25, 2011. FRCP 6(b).

The Court previously granted plaintiffs' motion to extend the deadline by fourteen days.

Plaintiffs' counsel had hoped to be largely finished with the briefing by this week, saving only edits and compilation for next week, and filing by July 27, 2011. However, the briefing is not completed, and jury duty will interfere with substantive briefing. Accordingly, plaintiffs seek an additional nine days to complete the responses, and file them on or before Friday, August 5, 2011.

DATED this July 21st, 2011.

Respectfully submitted,

/s/ Justin M. Baxter

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